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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,267	03/01/2002	Oscar E. Agazzi	BP1904	4805
51472	7590	10/06/2006	EXAMINER	
GARLICK HARRISON & MARKISON P.O. BOX 160727 AUSTIN, TX 78716-0727			GHEBRETINSAE, TEMESGHEN	
			ART UNIT	PAPER NUMBER
			2611	

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

RD

Office Action Summary

Application No.

10/086,267

Applicant(s)

AGAZZI, OSCAR E.

Examiner

Temesghen Ghebretinsae

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-184 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 129-133 is/are allowed.
- 6) ☒ Claim(s) 1-128, 134-184 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. It would be of great assistance to the Office if all incoming papers pertaining to a filed application carried the following items:

1. Application number (checked for accuracy, including series code and serial no.).
2. Group art unit number (copied from most recent Office communication).
3. Filing date.
4. Name of the examiner who prepared the most recent Office action.
5. Title of invention.
6. Confirmation number (See MPEP § 503).

Response to Arguments

2. Applicant's arguments with respect to claims 1-128, 134-184 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-27,35-37, 39-57,60,63-69,72,76-79,113-117,119-124,126-127,134-160,163,168-170,184 are rejected under 35 U.S.C. 102(b) as being anticipated by Womack et al (5,982,819).

Womack discloses a digital signals processing comprising: a receiver that includes an analog to digital converter ((409); and digital signal processor (401), the digital signal processor is operable coupled to an output of the analog to digital converter. The analog to digital converter samples the modulated serial data to

Art Unit: 2611

generate digital samples data; and the digital signal processor determines compensation operation to be performed by the receiver on the digital samples. The digital signal processing interfaces two devices communicatively coupled via a cable. The receiver further comprises a plurality of programmable gain amplifiers (425,427) coupled to the analog to digital converter; an automatic gain control (403); a memory (410,412). The digital signal processing determines at least one of an error in gain, an error in phase, and an error in offset. The receiver further comprises an analog circuitry (420,422,426) located before and communicatively coupled to the analog to digital converter. The receiver further comprises a plurality of analog to digital converters. The receiver further comprises a decoder(418,114) that operable to decode the digital samples. The digital processing employs parallel processing compensation techniques. The digital signal processing further comprises a transmitter and receiver. The receiver further comprises a timing recovery (407).(see fig.4 col.4, line 1 to col.5, line 67)

5. Claims 1-37, 42-69,72-75,79,80-103,105-112,113-126-128,134-170,172-184 are rejected under 35 U.S.C. 102(b) as being anticipated by Stewart 95,671,253).

Stewart discloses a digital signal-processing receiver comprising a receiver including an analog to digital converter (210) coupled to a digital signal processor (10). The digital coveter samples the modulated data to generate digital samples and the digital signal processor determines compensation operation to be performed by the receiver. The signal processing further comprises programmable gain amplifier (2050; an automatic gain control circuitry ((270). The digital signal processing is implemented

Art Unit: 2611

in data communication application. the digital signal processing determines at least one of an error in gain, an error in phase and an error in offset. The signal processing further comprises a filter(235) and an equalizer(220) and further comprises a viterbi decoder that is operable to decode the digital samples of the modulated signal. (see figs. 1-2, and 5)

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1,38,42,70-71,80,104,113,128,134,171 are rejected under 35

U.S.C. 102(e) as being anticipated by Phanse et al. (6.795,494).

Consider claim 1,38,42,70-71,80,104,113,128,134,171 as claimed . Phanse discloses a digital signal processing comprising a receiver including an analog to digital converter for sampling the data coupled to a digital signal processor for determining a compensation operation and a crosstalk canceller.(see fig. 1 abstract).

Allowable Subject Matter

7. Claims 129-133 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Temesghen Ghebretinsae whose telephone number is 571-272-3017. The examiner can normally be reached on Monday-Friday from 8 to 6. The examiner can also be reached on alternate .

Art Unit: 2611


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel, can be reached on 571-272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

T.Ghebretinsae

10/2/06.

Temesghen Ghebretinsae
Primary Examiner
Art Unit 2611



TEMESGHEN GHEBRETINSAE
PRIMARY EXAMINER